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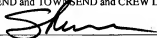
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On

12/18/06

TOWNSEND and TOWNSEND and CREW LLP

By:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

BRIAN N. PIERCE

Application No.: 10/789,948

Filed: February 26, 2004

For: DISINFECTION, DESTRUCTION OF  
NEOPLASTIC GROWTH, AND  
STERILIZATION BY DIFFERENTIAL  
ABSORPTION OF  
ELECTROMAGNETIC ENERGY

Customer No.: 20350

Confirmation No.: 5787

Examiner: Johnson III, Henry M.

Art Unit: 3739

**AMENDMENT AND REQUEST  
FOR RECONSIDERATION  
UNDER 37 CFR § 1.114(c)  
ACCOMPANYING REQUEST  
FOR CONTINUED  
EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is offered in conjunction with the Request for Continued Examination submitted herewith. Reconsideration of the application is respectfully requested.

**Amendments to the Claims** begin on page 2 of this paper and include an attached replacement sheet.

**Remarks/Arguments** begin on page 6 of this paper.